

Application Serial No. 10/082,011
 Attorney Docket No. 86012-31500 USPT

Amendments to the Claims:

This listing of Claims will replace all prior versions, and listings, of Claims in the application:

Listing of Claims:

1. (Currently Amended) A ~~combination of a polymeric bag and a trash can,~~ the polymeric bag comprising:

~~the trash can; and~~

~~the polymeric bag for insertion into the trash can, the polymeric bag comprising:~~

a first panel and a second panel joined to each other along a pair of opposing sides and a closed bottom bridging the opposing sides, defining an open top between the pair of opposing sides and opposite the closed bottom, the first and second panels each having an original width; and

at least a first narrowing seal extending inwardly and downwardly from near or at one of the pair of opposing sides, the first narrowing seal sealing the first panel to the second panel to define a first portion of the bag between the first narrowing seal and one opposing wall such that a second width of the first and second panels is created that is smaller than the original widths of the first and second panels, the first portion non-removably attached to a remaining portion of the bag, the first narrowing seal being disposed closer in proximity to the top than to the bottom of the bag ~~the second width adapted to be stretched over the bag engaging periphery of the trash can in order to allow the polymeric bag to grip the bag engaging periphery of the trash can.~~

2. (Original) The polymeric film bag of claim 1, further comprising a second narrowing seal extending inwardly from near or at the other of the pair of opposing sides.

3. (Withdrawn) The bag of claim 1, wherein the first narrowing seal further extends toward the bottom in a direction generally parallel to the pair of opposing sides.

4. (Withdrawn) The bag of claim 1, wherein the first narrowing seal further extends toward the bottom, such that the second width becomes smaller toward the bottom.

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5. (Withdrawn) The bag of claim 4, wherein the second width is about 21 inches and gradually decreases to about 20 inches toward the bottom edges.

6. (Currently Amended) The bag of claim 1, wherein the first narrowing seal initially extends from ~~the pair of~~ one opposing ~~sides~~ side and extends generally downward, before extending back to one of the pair of opposing sides.

7. (Original) The bag of claim 6, wherein the first narrowing seal is arcuate or triangular in shape.

8. (Original) The bag of claim 1, wherein the first narrowing seal is formed by heat sealing the first and second panels.

9. (Original) The bag of claim 1, wherein the first narrowing seal is formed by adhering the first and second panels.

10. (Original) The bag of claim 1, wherein the first and second panels are formed from an integral folded single sheet of polymer.

11. (Original) The bag of claim 1, wherein the bottom of the bag is formed by folding the first and second panels.

12. (Original) The bag of claim 1, wherein one of the pair of opposing sides of the bag is formed by folding the first and second panels.

13. (Original) The bag of claim 1, wherein the first and second panels are formed from two separate polymeric sheets.

14. (Currently Amended) The bag of claim 1, wherein the ~~first~~ original width is about 24 inches.

15. (Original) The bag of claim 1, wherein the second width is about 21 inches.

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Claims 16. to 28. (Canceled)

29. (Withdrawn) A polymeric film bag, comprising: a first layer and a second layer each having an original width and a length, the first and second layer joined by a pair of opposing bag sides and a straight bottom; a first narrowing seal sealing the first layer to the second layer; and a second narrowing seal sealing the first layer to the second layer, the first and second narrowing seals disposed such that a second width of the first and second layers is created that is smaller than the original widths of the first and second layers, the first and second narrowing seals extending inwardly from near or at the side edges and extending down toward the straight bottom, such that the second width becomes smaller towards the straight bottom.

30. (Currently Amended) A polymeric bag ~~and a container in combination,~~ the polymeric bag comprising:

~~the container having a fixed frame and a bag engaging periphery;~~

~~the bag comprising:~~

a first layer and a second layer each having an original width and a length, the first and second layer joined by along a pair of opposing bag sides and a ~~closed~~ bottom bridging the opposing bag sides, ~~creating an open top~~ defining an open top between the opposing side and opposite the bottom,

a first narrowing seal sealing the first layer to the second layer; and

a second narrowing seal sealing the first layer to the second layer, the first and second narrowing seals disposed such that a second width of the first and second layers is created that is smaller than the original widths of the first and second layers, the first and second narrowing seals initially extending inwardly from said bag sides and extending generally downwardly before extending back to said bag sides, the first narrowing seal and the second narrowing seal each being disposed closer in proximity to the top than to the bottom, ~~the second width adapted to be stretched over the bag engaging periphery of the container in order to allow the polymeric bag to grip the bag engaging periphery of the container.~~

31. (Currently Amended) A polymeric bag and container in combination, comprising: ~~said a~~ container having a fixed shape frame and a bag engaging periphery; and ~~said a~~ bag

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~~comprising:~~ including a first panel and a second panel joined to each other along a pair of opposing sides and a closed bottom bridging the opposing sides, ~~creating~~ defining an open top between the opposing sides and opposite the bottom, the first and second panels each having an original width; and at least a first narrowing seal extending inwardly and downwardly from near or at one of the pair of opposing sides, the first narrowing seal sealing the first panel to the second panel to define a first portion of the bag between the first narrowing seal and one opposing side such that a second width of the first and second panels is created that is smaller than the original widths of the first and second panels, the first portion non-removably attached to a remaining portion of the bag, the first narrowing seal being disposed closer in proximity to the top than to the bottom of the bag, the second width adapted ~~to be stretched over the bag engaging periphery of said container in order to allow the polymeric bag to grip the bag engaging periphery of the container.~~

32. (Original) The polymeric bag of claim 31, further comprising a second narrowing seal extending inwardly from near or at the other of the pair of opposing sides.

33. (Withdrawn) The bag of claim 31, wherein the first narrowing seal further extends toward the bottom in a direction generally parallel to the pair of opposing sides.

34. (Withdrawn) The bag of claim 31, wherein the first narrowing seal further extends toward the bottom, such that the second width becomes smaller toward the bottom.

35. (Withdrawn) The bag of claim 34, wherein the second width is about 21 inches and gradually decreases to about 20 inches toward the bottom edges.

36.(Original) The bag of claim 31, wherein the first narrowing seal initially extends from the pair of opposing sides and extends generally downward, before extending back to one of the pair of opposing sides.

37. (Original) The bag of claim 36, wherein the first narrowing seal is arcuate or triangular in shape.

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38. (Original) The bag of claim 31, wherein the first narrowing seal is formed by heat sealing the first and second panels.

39. (Original) The bag of claim 31, wherein the first narrowing seal is formed by adhering the first and second panels.

40. (Original) The bag of claim 31, wherein the first and second panels are formed from an integral folded single sheet of polymer.

41. (Original) The bag of claim 31, wherein the bottom of the bag is formed by folding the first and second panels.

42. (Original) The bag of claim 31, wherein one of the pair of opposing sides of the bag is formed by folding the first and second panels.

43. (Original) The bag of claim 31, wherein the first and second panels are formed from two separate polymeric sheets.

44. (Withdrawn) A polymeric film bag and container in combination, comprising: said container having a fixed shaped frame and a bag engaging periphery; and said bag comprising: a first layer and a second layer each having an original width and a length, the first and second layer joined by a pair of opposing bag sides and a straight bottom; a first narrowing seal sealing the first layer to the second layer; and a second narrowing seal sealing the first layer to the second layer, the first and second narrowing seals disposed such that a second width of the first and second layers is created that is smaller than the original widths of the first and second layers, the first and second narrowing seals extending inwardly from near or at the side edges and extending down toward the straight bottom, such that the second width becomes smaller toward the straight bottom.

45. (Currently Amended) A polymeric bag and container in combination, comprising: ~~said a~~ container having a fixed shape frame and a bag engaging periphery; and ~~said a~~ bag ~~comprising:~~ including a first layer and a second layer each having an original width and a length, the first and second layer joined ~~by~~ along a pair of opposing ~~bag~~ sides and a straight,

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closed bottom defining an on open top between the opposing sides and opposite the closed bottom, creating an open top; a first narrowing seal sealing the first layer to the second layer; and a second narrowing seal sealing the first layer to the second layer, the first and second narrowing seals disposed such that a second width of the first and second layers is created that is smaller than the original widths of the first and second layers, the first and second narrowing seals initially extending inwardly from said bag sides and extending generally downwardly before extending back to said bag sides, the first narrowing seal and the second narrowing seal each being disposed closer in proximity to the top than to the bottom, the second width adapted to ~~be stretched over the bag engaging periphery of the container in order to allow the polymeric bag to grip the bag engaging periphery of the container.~~

46. (Previously Presented) The bag of claim 1, wherein the bottom is a straight bottom.

47. (canceled).

48. (New) The bag of claim 1, wherein the first and second panels further define at least two tying flaps proximate the open top.

49. (New) The bag of claim 30, wherein each of the first and second layers includes at least one tying flap.

50. (New) The polymeric bag and container of claim 31, wherein the first and second panels further define at least two tying flaps proximate the open top.

51. (New) The polymeric bag and container of claim 45, wherein each of the first and second layers includes at least one tying flap.

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No fee is believed to be due for this submission. Should any additional fees be due, however, please charge the required fee to Winston & Strawn Deposit Account No. 50-1814.

Respectfully submitted,

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